

## Five Arrested in Brooklyn for Making Whisky

Revenue Agents Act as Lawyers, Argue Before Judge Hand That Volstead Enforcement Act Is Invalid

### Eastern Hotel Case Up

Court Asks Attorneys for Authorities Defining the War Powers of Congress

While Federal agents in Brooklyn were busy yesterday rounding up five alleged manufacturers of illicit liquor, the contest by the liquor interests against the Volstead enforcement law was being waged with arguments. The legal struggle to test the constitutionality of the law was resumed in the chambers of Judge Learned Hand, on the twelfth floor of the Woolworth Building.

The case was that of the Eastern Hotel Company, 64 Whitehall Street, where arrests were made within ninety minutes after the Volstead act became law. The hotel owners instituted the litigation to have the government ban on the premises removed. By an injunction, it appears, the Federal authorities have branded the place as a public nuisance and the owners now seek to have that injunction revoked.

William H. Hirst, counsel for the hotel and restaurant interests of New York, who opened the argument, dwelt on the powers of Congress.

In Use Over 100 Years  
"For over 100 years," he said, "this property has been in use, and the government has no right to confiscate it and brand it as a nuisance."

Arguments were made also by Everett V. Abbott, counsel for the Eastern Hotel Company. Mr. Abbott spoke against the confiscatory provisions of the law. It is said the government, in addition to the argument, has confiscated the stocks of liquor sold and said to be on the premises. Mr. Abbott maintained that his clients were entitled to compensation for the retroactive damage done.

George L. Donnellan said the Volstead act must fall if the original prohibition act ceases to be constitutional, and argued that the original war-

time prohibition bill simply read that the sale of liquor shall be prohibited until after the war.

"Of course, the act may be invalid," said Judge Hand. "There is to my mind a very genuine doubt about that. It is not my duty to say that. We are discussing its meaning. It seems to me quite clear that its meaning is that it shall run beyond the present time, because the President has not made any statement that the conclusion of the war may mean the conclusion of hostilities."

Judge Hand asked lawyers on both sides if they could furnish him authorities defining the war powers of Congress.

For the government Assistant United States Attorney Earl B. Barnes said he knew of none. However, he said, the war powers of Congress arise directly from the powers given Congress to declare war. Mr. Barnes cited the fact that Attorney General Palmer asked the extension to six months beyond the declaration of peace of the powers of the Food Administration, but peace might not be declared until 1925," interrupted Judge Hand.

When Mr. Barnes concluded the second day's arguments were ended and decision again was reserved. Judge Hand then asked both sides for any additional papers.

309 Complaints Received Daily  
With the internal revenue agents claiming that New York for its size is "the driest city in the country," and at the same time admitting the receipt of 309 complaints daily, it is apparent that considerable beer and whisky are being sold here.

The five men arrested in Brooklyn were held in bail ranging from \$500 to \$1,000 by United States Commissioner. Revenue Agents Holman and Fletcher, arrested John Catrone, thirty-two years old, 358 Atlantic Avenue, charged with making whisky. Holman and Fletcher said they found three gallons of whisky in the premises which, they claim, was manufactured by Catrone. The two agents also arrested Michael and Antonio Sassone, brothers, 75 Bond Street. It is alleged that they had three gallons of wine found in their place.

Harry Litski, 334 Grand Street, was arrested by L. H. Odeneth and charged with selling liquor. Litski owns a saloon at that address. Three gallons of whisky were found there, it is said. Revenue agents visited the saloon at 50 Vernon Avenue, Long Island City, and arrested the proprietor, Nicholas Langley, and his bartender, Joseph Shiro.

### Left Gas Lighted; Found Dead

Miss Marion Brady, of 624 Leonard Street, Brooklyn, a Board of Education employee, died of asphyxiation yesterday. Her sister, Miss Ida Brady, a teacher at Public School 16, said she had left her gas jet lighted on retiring. The jet was near an open window, and the wind extinguished the flame, filling the room with gas.

## Graft Grand Jury, "Shadowed," Also Fears Wire Tapping

"Shadows" Are Put on "Shadowers," and Members, Distrusting Phones, Take Rooms in Hotels

The extraordinary grand jury which is investigating the Hyman City administration, giving particular attention to the Police Department, was reported yesterday to have taken measures to establish the source, official or unofficial, responsible for the "shadowing" of its members. The grand jury is said to have put men to work "shadowing" its "shadowers."

Another report concerning the jury and its activities in delving into possible contacts between the Police Department and the underworld was that the jurors, who are headed by Raymond F. Almira, an architect, had ceased discussing jury matters with one another over their home telephone wires. The jurors, a rumor said, feared their wires had been "tapped."

Efforts to fix responsibility for the reported "shadowing" process as well as for the wire "tapping" will be made when the jury resumes its sessions tomorrow in the Criminal Courts Building.

Search for Dictaphones  
Certain members of the grand jury are reported to be so certain the dictaphone lines in their houses have been "tapped" they are residing at clubs and hotels, and when they use telephones are said to be utilizing outside coin slot stations.

Another rumor which indicated the extent to which the grand jury is going in its efforts to have its proceedings remain secret was circulated about the Criminal Courts Building. This was to the effect that the grand jury room had been locked over thoroughly for possible dictaphone systems. None was found, it was said.

The grand jury purposes to stand by its investigations and remain in session

until the matters it has in hand are finished, despite the financial losses this sacrifice may entail, it was learned.

Broadway Misses Familiar Traces  
Interest was manifest at the Criminal Courts Building in the report that familiar faces along Broadway were missing and that a general exodus of gamblers, confidence men and other members of the underworld had been precipitated by the report that the grand jury proposed to summon well-known characters in its efforts to delve into the Police Department and its alleged connection with vice, gambling and crime in general.

James E. Smith, Assistant District Attorney, will assume full charge of the police phase of the investigation tomorrow, it was reported. Supplement to his famous "Blue Book" of hidden police scandals, said to reveal connections between high officials and vice and gambling cliques, will be turned over to the grand jury.

## Bulgaria Seeks Ex-King's Arrest

Extradition of Ferdinand and War Premier From Germany Is Planned

SOFIA, Nov. 8.—The Bulgarian government has opened negotiations for the extradition of former King Ferdinand, who fled to Austria and then to Germany; of Vassil Radoslavoff, the war Premier, who left the country in the disguise of a German officer, and of General Jekoff, former commander in chief of the Bulgarian armies, who took refuge abroad after the Bulgarian military collapse.

Two hundred persons have been arrested at the order of the government, including the principal members of the Radoslavoff Cabinet who are still in Bulgaria, a number of members of the Sobranie who belonged to the Radoslavoff party, and three generals accused of inhuman methods of warfare. Among the former ministers arrested are M. Tanecheff, Secretary of Finance during the war, and General Radko Poppoff. When he abdicated October 3, 1918, in favor of his eldest son, Boris, Ferdi-

and fled into Lower Austria, where he took refuge on his estate near Erenthal. On the order of Emperor Charles he left the country, going to Coburg, Germany, where he was reported to be planning to reside permanently. Neither the Swiss nor the Czechoslovak government replied favorably to Ferdinand's request to grant him a refuge.

Premier Radoslavoff, at the head of the pro-German party in Bulgaria, came into office in 1913 and conducted the negotiations which led to the rejection of Entente requests that Bulgaria enter the war against the Central powers or preserve neutrality and to a declaration of war against the Entente in conformity with the terms of an alliance with the Central powers. His cabinet remained in office until June, 1918, falling when it was seen that the defeat of Bulgaria and the loss of war were inevitable.

## Merchant Marine Bill Is Passed by House

Measure Provides for Continuation of Board and Sale of Fleet to Citizens

WASHINGTON, Nov. 8.—A bill outlining a permanent policy regarding the merchant marine was passed today by the House with practically no opposition. The measure provides for sale of the government fleet to American citizens and for continuation of the shipping board with regulatory powers. Final vote on the measure was 238 to 8. The bill now goes to the Senate. The bill authorizes disposal of the vessels at prevailing market prices, with a time limit of ten years for full payment. Sale to aliens is prohibited, unless the vessels are not wanted by Americans. Insurance of vessels continues as under the Shipping Board policy. Building operations are to be curtailed as soon as possible.

## His Former School Will Honor Quentin Roosevelt

WASHINGTON, Nov. 8.—Children of the famous old Force School, in Massachusetts Avenue here, which Quentin Roosevelt attended when he lived in the White House, will plant a memorial tree in memory of the aviator son of

Colonel Roosevelt on the morning of Armistice Day. The tree has been registered on the national honor roll being compiled by the American Forestry

Association, and it will be marked with a bronze marker. Miss Janet McWilliam, principal of the Force School, in a letter to Charles

Lathrop, President of the American Forestry Association, says that Quentin was the only Force pupil killed in the world war.



**Bags of Charming Quality and of Reasonable Price**

It is impossible in black and white to show the beauty and variety of Ovington's bags. The new hand-made beaded bags are subtly-toned and the contrasts and combinations are unusual and charming.

In chiffon or moire velvet, in feather bags for evening wear, in unusual bead bags and in leather as well, Ovington's are presenting a wide assortment of really distinguished bags at really remarkable prices.

It is not too early to think of Christmas Gifts now. Ovington's is ready for you

**OVINGTON'S**  
"The Gift Shop of Fifth Avenue"  
312-314 Fifth Avenue, near 32nd Street, New York

**BONWIT TELLER & CO.**  
The Specialty Shop of Originations  
FIFTH AVENUE AT 38<sup>TH</sup> STREET

**WOMEN'S FRENCH HANDMADE LINGERIE**

Broken Sizes and Odd Styles

Formerly 5.00 & 6.00... **3.50**  
Formerly 8.00 to 12.75... **4.75**  
Formerly 16.50 to 22.00... **9.50**

Odd pieces, most of which are in large sizes; made of the finest sheer fabrics, exquisitely hand embroidered and combined with fine lace.

**NEGLIGEEES**  
Discontinued Styles

Formerly 22.50... **14.75**  
Formerly 39.50 to 49.00... **28.50**  
Formerly 59.00 to 69.00... **37.50**

Negligees of the characteristic Bonwit Teller & Co. distinction done in the very finest of materials. These negligees reduced in price to make room for newer models.

**Satin Sport Petticoats**  
Formerly 7.95 **5.95**

Tailored petticoats of soft satins with double hem embroidered in self colors. Shadow proof panel back and front.

**Novelty Silk Petticoats**  
INCLUDING FRENCH MODELS  
Formerly 49.00 to 75.00... **28.50**

Tulles, laces, printed chiffons, charmeuse, wool embroidered pussy willows and hand batik petticoats.

**Women's Pure Silk Hosiery**  
Fine gauze all-silk hose in black, white and desirable shades for street and evening wear. **Three Pairs 8.75 2.95**

**Medium Weight Silk Hosiery**  
Durable quality, reinforced mercerized lisle garter welts and soles. In black, white and cordovan. **Three pairs 6.65 2.25**

The wear of all our Silk Hosiery is warranted to give perfect satisfaction.

Red Cross 1920  
Enrollment—One Dollar

**A Limited Number Women's Evening Gowns & Dinner Frocks**  
**68.00**  
Formerly 85.00 to 165.00

Two or three gowns of a kind in chiffon with silver lace, net with beaded borders, metal-flowered taffeta, metal lace, taffeta with self ruffles and taffeta with shirred bottom skirts.

**Special Offering Monday FUR COATS and WRAPS**

Trimmed Hudson Seal Coats  
Natural Squirrel Coats  
Trimmed Nutria Coats  
**245.00**  
EXCEPTIONAL VALUES

These coats are 28 to 30 inches long, full, boxy models, with regular and flare sleeves and tie girdles. The trimmed Hudson Seal (dyed muskrat) coats are combined with Natural Squirrel, Nutria and Australian Opossum. The Nutria coats have Australian Opossum collars.

**Taupe Nutria Coats**  
Smart straightline models, 28 inches long, of selected pelts. **195.00**

**Hudson Seal Coats**  
Loose back 30-inch long models, of choice dyed muskrat pelts. **225.00**

**Trimmed Hudson Seal Coats**  
36-inch long models, of dyed muskrat, with beaver or natural squirrel collars and cuffs. **350.00**

**Hudson Seal Coats**  
45-inch long, full, loose model, of dyed muskrat, with large shawl collars and cuffs. **395.00**

**Natural Squirrel Coats**  
Chic 30-inch long, loose back models, of selected blue skins. **395.00**

**Scotch Mole Coats**  
Trotteur models in a variety of smart, jaunty styles. **350.00**

**BONWIT TELLER & CO.**  
The Specialty Shop of Originations  
FIFTH AVENUE AT 38<sup>TH</sup> STREET

**FOR MONDAY At Greatly Reduced Prices WOMEN'S TAILORED SUITS**  
Plain and Fur Trimmed **74.00**  
Formerly 85.00 to 110.00

Strictly tailored and fur-trimmed styles in silvertone, duvet de laine, valama cloth, velour or peachbloom in the favored shadings.

**WOMEN'S TAILORED SUITS**  
Plain and Enriched with Fur **98.50**  
Formerly 110.00 to 135.00

In peachbloom, valama cloth, duvet de laine, velour and silvertone, some banded with beaver, squirrel, nutria, Australian and ring-tail Opossum or Hudson Seal.

**WOMEN'S COSTUME SUITS**  
Featuring Duvetyn and other Fabrics **135.00**  
Formerly 145.00 to 185.00

Handsome models of silk duvetyn, frost-glow, peachbloom, velour and silvertone in the favored colors of the season, combined with Hudson Seal, Nutria, Beaver and Natural Caracul.

**WOMEN'S VELOUR COATS**  
Three Distinctive Models **48.00**  
Formerly 55.00 to 69.50

Made of soft finished velour in navy blue, brown and various deer shades, lined throughout with silk and interlined. Large shawl, square or adjustable collars.

**WOMEN'S FUR COLLAR COATS**  
Large Shawl Collars of Nutria **68.00**  
Formerly 75.00 to 95.00

Velour and tinseltone coats executed in a fashionable silhouette. Colors: navy blue, brown and various shades of fawn.

The Y. M. C. A. Invites You to View Their Work

**A Limited Number Women's Ostrich Trim'd Velvet Evening Wraps**  
**155.00**  
Formerly 195.00 to 235.00

Three distinctive models in draped effects of chiffon and panne velvet, with ostrich trimming to match. Colors: black, burnt orange, henna, cerise, prune and gray.

**At Greatly Reduced Prices Misses' Tailored Suits**  
Formerly 55.00 to 89.50 **50.00**

Youthful modes in belted and flare-coat styles of silvertone, velour and valama cloth. Adjustable collars of nutria and Hudson seal. Sizes 14 to 20.

**Misses' Winter Coats**  
**59.50**

Typically youthful modes for the younger set, in coats of velour and silvertone, with large convertible collars and tie belts. Lined with beautiful novelty silks.

**Misses' Tailored Frocks**  
Velveteen, Peachbloom, Tricoline  
Special at **75.00**

Exact replicas and adaptations of Lanvin, Patou, Jenny and Madeleine et Madeleine frocks, featuring plaid stitching, chenille embroidery, pipe organ and umbrella folds and fan plaited ornaments.

**"BONTEL" FOOTWEAR**  
FOR WOMEN AND MISSES  
Featuring Ten Smart Styles in Dress and Walking Boots  
Special at **15.00**

Included are laced dress boots, in black patent leather or kidskin, boot leather or gray kid with gray buckskin top or all dark gray buckskin.  
Button models in patent or dull leather with gray kid tops, hand welted soles, covered Louis XVI heels. Walking boots in dark brown or black Russia calf or kidskin, with plain toe or straight tip, hand welted soles, leather or Cuban heels.